

PATENT

Attorney Docket No. 3608

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Thomas M. Mayers et al ) Examincr: Alicia A. Chevalier  
Date Filed: February 26, 2004 )  
Application No.: 10/789,000 ) Group Art Unit: 1772  
 ) Confirmation No. 9213

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF (37 CFR 41.37)

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief (37 CFR 41.37) mailed October 18, 2007, please amend Appellants' Appeal Brief so as to place the Brief in compliance with 37 CFR 41.37: This Response will be directed to only those enumerated items idcntified as defective on said Notification.

Item 8. The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner and relied upon by appellants in the appeal.

"NONE" There was no such evidence entered by the examiner and relied upon by appellants in the appeal. An "Evidence Appendix" is attached hereto.

Item 9. The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto.

"NONE" As previously set forth in the "Related Appeals and Interferences" section of Appellants' brief, there are no related appeals and interferences. A copy of the

Notice of Panel Decision from Pre-Appeal Brief Review was attached to Appellants' Brief as a Prior Decisions Appendix. A "Related Proceedings Appendix" is attached hereto.

Item 10. Other (including any explanation in support of the above items).  
"NOT APPLICABLE".

Respectfully submitted,

*Robert H. Robinson*

Robert H. Robinson  
Attorney for Applicants  
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EVIDENCE APPENDIX

NONE

RELATED PROCEEDINGS APPENDIX

NONE

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**To:** U.S. Patent & Trademark Office      **From:** Judith A. Powers  
Darlene Brown

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**Fax:** 571 273 1559      **Date:** November 15, 2007

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**Phone:**      **Pages:** 5 incl this cover page

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**Re:** Response to Notification of Non-Compliant CC:  
Appeal Brief (37 CFR 41.37)

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**Comments:**

Attached: Response to Notification of Non-Compliant Appeal Brief (37 CFR 41.37)

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